

REMARKS

1. Appellant has modified claim 9 to omit the withdrawn species of buckwheat, pursuant
10 to Applicant's Reply to the government's Restriction/Election of Species Requirement.
Evidence Appendix, Exhibit I.

2. Appellant has modified Claims 15 through 20 to avoid dependence from withdrawn
Claim 14.

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3. Appellant has modified claims 9, 11 15, 16, 17, 18, 19 and 20 to designate correct
antecedent basis.

- 20 Appellant amended claims which were inadvertently drafted to include no-elected
species (Claim 8) and a restricted invention (Claim 14). The government addressed these
claims and the depending claims in its second final office action, based upon enablement

and not withdrawal of non -elected matter. Consequently, enablement became the focus of Appellant's response to that final office action, and within his time constraints.

Respectively submitted,



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On behalf of

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